

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIM. NO. 4-12-CR-0011  
:   
v. : (Judge Conner)  
:   
RICKY JEROME SMITH : **ELECTRONICALLY FILED**

**MOTION FOR COMPETENCY HEARING  
AND A PSYCHOLOGICAL/PSYCHIATRIC  
EXAMINATION AND REPORT**

COMES NOW, the United States hereby moves pursuant to 18 U.S.C. § 4241(a) for a hearing to determine the competency of the defendant and for a psychological and/or psychiatric examination. There is reasonable cause to believe that the defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense. The United States defers to Magistrate Judge Arbuckle's assessment of the defendant on January 20 and January 26, 2012, during the initial appearance of the defendant on the complaint and the indictment, respectively. Based on the initial appearance Judge Arbuckle stated that the defendant should be both physically and psychologically examined. The United States request a hearing on the question of the defendant's competency and for a psychological and/or psychiatric examination and report pursuant to 18 U.S.C. §§ 4247(b) and (c).

WHEREFORE the United States respectfully request the court to order that the defendant be transferred by the Attorney General to a suitable Bureau of Prisons facility for a psychological and/or psychiatric examination and that a psychiatric and/or psychological report be filed with the court pursuant to 18 U.S.C. §§ 4247(b) and (c), and copies provided to counsel.

Respectfully submitted,

PETER J. SMITH  
United States Attorney

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Dated: April 11, 2012

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIM. NO. 4-12-CR-0011  
 :  
 v. : (Judge Conner)  
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 RICKY JEROME SMITH : **ELECTRONICALLY FILED**

**CERTIFICATE OF SERVICE**

I hereby certify that I caused a true and correct copy of the foregoing

**MOTION FOR COMPETENCY HEARING  
AND A PSYCHOLOGICAL/PSYCHIATRIC  
EXAMINATION AND REPORT and proposed ORDER**

by mailing electronically on April 11, 2012, to:

ADDRESSEE: Stephen F. Becker  
[sbecker@shapiro-becker.com](mailto:sbecker@shapiro-becker.com)

and to be mailed prepaid, United States postage on that same date to:

ADDRESSEE: Ricky Jerome Smith  
**Columbia County Jail**  
721 Iron Street  
Bloomsburg, PA 17815

S/William C. Simmers  
WILLIAM C. SIMMERS  
Assistant United States Attorney